

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

GLAXOSMITHKLINE PLC; PFIZER, INC.; ENCYSIVE PHARMACEUTICALS, INC.;)	C.A. No. 3:12-CV-01965-FLW- DEA
Plaintiffs,)	
MITSUBISHI CHEMICAL CORP.; and MITSUBISHI TANABE PHARMA CORP.,)	ORDER GRANTING PLAINTIFFS' AND DEFENDANTS' JOINT MOTION TO SEAL AND REDACT THE TRIAL <u>TRANSCRIPTS</u>
Involuntary Plaintiffs,)	
v.)	DOCUMENT FILED ELECTRONICALLY
HIKMA PHARMACEUTICAL CO., LTD.; and WEST-WARD PHARMACEUTICAL CORP.,)	
Defendants.)	

THIS MATTER having been brought before the Court upon the Joint Motion of Plaintiffs GlaxoSmithKline, Pfizer, and Encysive Pharmaceuticals (“Plaintiffs”) and Defendants Hikma and West-Ward Pharmaceutical, (“Defendants”), pursuant to Local Civil Rule 5.3(c), to seal and redact portions of the transcripts of the proceedings held before the Honorable Freda L. Wolfson, U.S.D.J., on July 10-13, 2012 (“Transcripts”); and the Court having considered the papers submitted in support of the Motion; and the Court having considered and adopted the Findings of Fact and

Conclusions of Law submitted by the parties in support of the Motion; and the Court having further found that the standards of Local Civil Rule 5.3(c)(2) have been met and support the sealing of the confidential information set forth below; and for the reasons set forth in the record of the proceedings, and for other good cause having been shown;

IT IS on this _____ day of _____, 2012,

ORDERED that the parties' Joint Motion, pursuant to Local Civil Rule 5.3(c), to Seal and Redact portions of the Transcripts is hereby **GRANTED**; and it is further

ORDERED that the following portions of the Transcripts shall be sealed and maintained under seal by the Court:

- July 10, 2012 Trial Transcript, Vol. 1, page 9, line 12, between the words "glycol," and "in their;"
- July 10, 2012 Transcript, Vol. 1, page 132, lines 1-5, after the word "about" through the end of line 5;
- July 10, 2012 Transcript, Vol. 1, page 132, lines 11-12 in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 133, lines 2-5 in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 133, lines 9-11, after the word "Yes" through the end of line 11;
- July 10, 2012 Transcript, Vol. 1, page 140, lines 9-10, between the words "shown on" and "that appears;"
- July 10, 2012 Transcript, Vol. 1, page 140, lines 11-13, after the word "panel" through the end of line 13;

- July 10, 2012 Transcript, Vol. 1, page 140, lines 16-17, after the word “step” through the end of line 17;
- July 10, 2012 Transcript, Vol. 1, page 140, lines 20-21 in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 140, line 23;
- July 10, 2012 Transcript, Vol. 1, page 140, line 25;
- July 10, 2012 Transcript, Vol. 1, page 141, lines 2-5 in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 141, lines 9-10, after the words “Claim 1” through the end of line 10.
- July 10, 2012 Transcript, Vol. 1, page 141, lines 18-25, after the word “method” through the end of line 25;
- July 10, 2012 Transcript, Vol. 1, page 142, lines 1-9 in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 142, lines 15-20, after the word “actually” through the end of line 20;
- July 10, 2012 Transcript, Vol. 1, page 143, lines 11-13, between the words “in which” and “how does;”
- July 10, 2012 Transcript, Vol. 1, page 143, lines 16-19, before the words “the result”;
- July 10, 2012 Transcript, Vol. 1, page 143, lines 21-23 in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 143, line 25, after the word “that”;
- July 10, 2012 Transcript, Vol. 1, page 144, lines 1-2 in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 144, line 3, before the word “ultimately;”

- July 10, 2012 Transcript, Vol. 1, page 144, line 4-5, between the words “solution” and “it’s super-saturated;”
- July 10, 2012 Transcript, Vol. 1, page 144, lines 21-22, between the words “Hikma’s” and “is super-saturated;”
- July 10, 2012 Transcript, Vol. 1, page 145, lines 15-16, between the words “Hikma’s” and “is super-saturated;”
- July 10, 2012 Transcript, Vol. 1, page 147, lines 1-2, before the words “So they have;”
- July 10, 2012 Transcript, Vol. 1, page 147, lines 11-12, before the words “in Hikma’s;”
- July 10, 2012 Transcript, Vol. 1, page 147, lines 15-17, between the words “that” and “in their formulation;”
- July 10, 2012 Transcript, Vol. 1, page 147, line 18, after the word “formulation;”
- July 10, 2012 Transcript, Vol. 1, page 151, lines 16-21, in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 151, line 23, after the word “Correct;”
- July 10, 2012 Transcript, Vol. 1, page 152, lines 8-11, between the words “where” and “but if;”
- July 10, 2012 Transcript, Vol. 1, page 153, lines 10-12, after the word “lists” through the end of line 12;
- July 10, 2012 Transcript, Vol. 1, page 153, line 16, after the words “they are;”
- July 10, 2012 Transcript, Vol. 1, page 153, lines 19-20, between the words “where” and “how does;”
- July 10, 2012 Transcript, Vol. 1, page 153, lines 23-25, after the word “Because” through the end of line 25;
- July 10, 2012 Transcript, Vol. 1, page 154, line 1;

- July 10, 2012 Transcript, Vol. 1, page 154, lines 12-14, after the word “saying” through the end of line 14;
- July 10, 2012 Transcript, Vol. 1, page 154, lines 17-18, between the words “saying” and “so it’s;”
- July 10, 2012 Transcript, Vol. 1, page 154, lines 22-23 in their entirety;
- July 10, 2012 Transcript, Vol. 1, page 154, lines 24-25, after the words “told us” through the end of line 25;
- July 10, 2012 Transcript, Vol. 1, page 155, line 1, before the words “in Hikma’s;”
- July 10, 2012 Transcript, Vol. 1, page 155, lines 3-4, after the words “that was” through the end of line 4;
- July 11, 2012 Transcript, Vol. 2, Page 28, lines 14-21 in their entirety;
- July 11, 2012 Transcript, Vol. 2, Page 29, lines 7-14 in their entirety;
- July 11, 2012 Transcript, Vol. 2, Page 30, lines 3-7 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 31, lines 19-21, between the words “process” and “Right;”
- July 11, 2012 Transcript, Vol. 2, page 31, lines 22-23, after the word “believe” through the end of line 23;
- July 11, 2012 Transcript, Vol. 2, page 31, lines 24-25, after the words “true that” through the end of line 25;
- July 11, 2012 Transcript, Vol. 2, page 32, lines 1-4, before the word “Right;”
- July 11, 2012 Transcript, Vol. 2, page 37, lines 13-14, after the word “said” through the end of line 14;
- July 11, 2012 Transcript, Vol. 2, page 37, lines 17-18 in their entirety;

- July 11, 2012 Transcript, Vol. 2, page 38, lines 1-2, between the words “glycol is” and “Right;”
- July 11, 2012 Transcript, Vol. 2, page 38, lines 12-13 between the words “process” and “at room;”
- July 11, 2012 Transcript, Vol. 2, page 38, lines 22-23, between the words “that” and “at room;”
- July 11, 2012 Transcript, Vol. 2, page 41, lines 16-17 between the words “solution” and “is super-saturated;”
- July 11, 2012 Transcript, Vol. 2, page 41, lines 22-23, after the word “solution” through the end of line 23;
- July 11, 2012 Transcript, Vol. 2, page 42, line 12, before the words “a little;”
- July 11, 2012 Transcript, Vol. 2, page 42, lines 12-13, between the words “more than” and “than the actual;”
- July 11, 2012 Transcript, Vol. 2, page 42, line 14, between the words “called” and “super-saturated;”
- July 11, 2012 Transcript, Vol. 2, Page 42, lines 16-25 in their entirety;
- July 11, 2012 Transcript, Vol. 2, Page 43, lines 1-2 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 47, line 11, before the words “I interpreted;”
- July 11, 2012 Transcript, Vol. 2, page 137, lines 10-19 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 149, lines 2-25 in their entirety;
- July 11, 2012 Transcript, Vol. 2, pages 150-151 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 152, lines 1-2 in their entirety;

- July 11, 2012 Transcript, Vol. 2, page 155, lines 3-10 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 158, lines 20-22 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 158, line 23, after the word “Exela;”
- July 11, 2012 Transcript, Vol. 2, page 158, lines 24-25, after the word “Because” through the end of line 25;
- July 11, 2012 Transcript, Vol. 2, page 159, lines 1-2, after the words “want to” through the end of line 2;
- July 11, 2012 Transcript, Vol. 2, page 159, lines 3-5, after the words “want to” through the end of line 5;
- July 11, 2012 Transcript, Vol. 2, page 159, line 6, between the words “you’ and “what’s”;
- July 11, 2012 Transcript, Vol. 2, page 159, lines 8-9, after the words ‘Then you” through the end of line 9;
- July 11, 2012 Transcript, Vol. 2, page 159, lines 10-12, after the word “process” through the end of line 12;
- July 11, 2012 Transcript, Vol. 2, page 160, lines 3-4, between the words “where” and “Do you recall;”
- July 11, 2012 Transcript, Vol. 2, page 160, lines 8-12, after the words “Then you” through the end of line 12;
- July 11, 2012 Transcript, Vol. 2, page 161, lines 1-14 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 161, lines 16-24 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 164, lines 12-15 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 167, lines 3-6 in their entirety;

- July 11, 2012 Transcript, Vol. 2, page 167, lines 13-15 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 182, lines 20-22, between the words “direct” and “Is that;”
- July 11, 2012 Transcript, Vol. 2, page 182, lines 23-24, after the word “Yes” through the end of line 24;
- July 11, 2012 Transcript, Vol. 2, page 184, lines 14-17 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 184, lines 19-21, between the words “formulation to” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, page 184, lines 24-25 after the word “about” through the end of line 25;
- July 11, 2012 Transcript, Vol. 2, page 185, line 1, before the word “Correct;”
- July 11, 2012 Transcript, Vol. 2, page 188, lines 21-25 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 189, lines 1-25 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 190, lines 1-6 in their entirety;
- July 11, 2012 Transcript, Vol. 2, page 190, lines 15-16 between the words “said it” and “I believe;”
- July 11, 2012 Transcript, Vol. 2, page 191, line 22, between the words “is” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, page 191, line 25, between the words “is” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, page 192, lines 2-3, between the words “water is” and “Correct;”
- July 11, 2012 Transcript, Vol., 2, page 192, lines 15-17, after the words “consists of” through the end of line 17;

- July 11, 2012 Transcript, Vol. 2, page 192, lines 21-23 in their entirety;
- July 11, 2012 Transcript, Vol., 2, page 193, lines 24-25 after the word “that” through the end of line 25;
- July 11, 2012 Transcript, Vol. 2, page 194, line 1 in its entirety;
- July 11, 2012 Transcript, Vol. 2, page 196, line 25 in its entirety;
- July 11, 2012 Transcript Vol. 2, Page 197, lines 3-4, between the words “that was” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 197, line 23, after the words “And you;”
- July 11, 2012 Transcript, Vol. 2, Page 198, lines 1-2, after the words “And you” through the end of line 2;
- July 11, 2012 Transcript, Vol. 2, Page 198, lines 4-8, before the word “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 198, line 10, between the words “then you” and “Right;”
- July 11, 2012 Transcript, Vol. 2, Page 198, line 12, between the words “then you” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 198, lines 14-15, between the words “after you” and “do you;”
- July 11, 2012 Transcript, Vol. 2, Page 198, line 18 in its entirety;
- July 11, 2012 Transcript, Vol. 2, Page 198, lines 23-25, between the words “where you” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 199, line 1 in its entirety;
- July 11, 2012 Transcript, Vol. 2, Page 199, lines 2-3, between the words “sense to” and “during the;”

- July 11, 2012 Transcript, Vol. 2, Page 199, lines 5-7, after the words “You want to” though the end of line 7;
- July 11, 2012 Transcript, Vol. 2, Page 199, lines 8-9 between the words “So you” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 199, line 11, between the words “And” and “Right;”
- July 11, 2012 Transcript, Vol. 2, Page 199, lines 13-14, between the words “didn’t” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 199, line 21, between the words “don’t” and “Is that;”
- July 11, 2012 Transcript, Vol. 2, Page 200, lines 1-2, between the words “process to” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 200, line 11, after the words “concerned about;”
- July 11, 2012 Transcript, Vol. 2, Page 200, line 13, between the words “about” and “but I need;”
- July 11, 2012 Transcript, Vol. 2, Page 200, line 25 in its entirety;
- July 11, 2012 Transcript, Vol. 2, Page 201, lines 1-2 in their entirety;
- July 11, 2012 Transcript, Vol. 2, Page 201, lines 3-4, after the word “Question” through the end of line 4;
- July 11, 2012 Transcript, Vol. 2, Page 201, line 5, after the word “Answer;”
- July 11, 2012 Transcript, Vol. 2, Page 201, lines 19-21, between the words “formulation so” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 202, lines 2-3, after the words “formulation to” through the end of line 3;
- July 11, 2012 Transcript, Vol. 2, Page 202, lines 14-18 in their entirety;

- July 11, 2012 Transcript, Vol. 2, Page 202, line 25 in its entirety;
- July 11, 2012 Transcript, Vol. 2, Page 203, lines 1-3 in their entirety;
- July 11, 2012 Transcript, Vol. 2, Page 203, lines 10-14 in their entirety;
- July 11, 2012 Transcript, Vol. 2, Page 203, line 23, between the words “you own” and “percent;”
- July 11, 2012 Transcript, Vol. 2, Page 204, lines 1-2, before the word “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 204, lines 6-7, between the words “Now” and “Right;”
- July 11, 2012 Transcript, Vol. 2, Page 204, line 9, before the words “if Hikma;”
- July 11, 2012 Transcript, Vol. 2, Page 204, lines 13-14, between the words “And as” and “Correct;”
- July 11, 2012 Transcript, Vol. 2, Page 204, line 15 in its entirety;
- July 11, 2012 Transcript, Vol. 2, Page 205, line 15, between the words “experiment” and “for me;”
- July 11, 2012 Transcript, Vol. 2, Page 205, line 17, after the word “experiment;”
- July 11, 2012 Transcript, Vol. 2, Page 205, lines 18-21 in their entirety;
- July 11, 2012 Transcript, Vol. 2, Page 205, line 23, after the words “that was;”
- July 11, 2012 Transcript, Vol. 2, Page 205, line 25, after the word “experiment;”
- July 11, 2012 Transcript, Vol. 2, Page 206, lines 1-15 in their entirety;

- July 11, 2012 Transcript, Vol. 2, Page 207, lines 16-25 in their entirety;
- July 11, 2012 Transcript, Vol. 2, Page 208, lines 1-22 in their entirety;
- July 12, 2012 Transcript, Vol. 3, Page 165, lines 3-11, after the words “process involves” through the end of line 11;
- July 13, 2012 Transcript, Vol. 4, Page 95, lines 4-17 in their entirety;
- July 13, 2012 Transcript, Vol. 4, Page 154, lines 19-21, after the words “that’s clear” through the end of the line 21;
- July 13, 2012 Transcript, Vol. 4, Page 154, lines 23-25, after the words “the FDA” through the end of line 25;
- July 13, 2012 Transcript, Vol. 4, Page 155, lines 1-2 in their entirety;
- July 13, 2012 Transcript, Vol. 4, Page 169, lines 1-4, after the words “same thing” through the end of line 4;

and it is further

ORDERED that the Court Reporter shall electronically file public copies of the Transcripts, redacted as consistent with this Order.

**HONORABLE DOUGLAS E. ARPERT
UNITED STATES MAGISTRATE JUDGE**